

Amendment No. 1 to HB1348

Coleman
Signature of Sponsor

AMEND Senate Bill No. 927*

House Bill No. 1348

by deleting SECTION 1 in its entirety and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 33-7-301(a)(4), is amended by inserting the following language after the first sentence:

In a post-conviction proceeding in a capital case, if there is a question on the defendant's mental condition at the time of the commission of the crime when there has been no such prior evaluation, or a question as to whether the defendant is mentally retarded, the court may, upon its own motion, or upon petition by the district attorney general or by the attorney for the defendant, and, if the matter is contested, after a hearing, order that the defendant be evaluated on an outpatient basis. If and only if the outpatient evaluator concludes that an inpatient evaluation is necessary, the court may order the defendant to be hospitalized for not more than thirty (30) days.